

MINUTES OF BOARD MEETING

June 27, 2001
City Council Chambers
City of La Quinta
78-495 Calle Tampico
La Quinta, CA 92253

The California Regional Water Quality Control Board, Colorado River Basin Region, was called to order by Chair Michael Smith at 10:00 a.m. on June 27, 2001, in the City Council Chambers, City of La Quinta, California.

1. Roll Call

The following Board Members were present: Dr. Dan Baxley, Gary Johnson, Leon M. Lesicka, Michael A Smith, and Nancy S. Wright

Absent: Mary Ann E. Martin Andreas and Brenda Soulliere

2. Staff Present

Alex Alimohammadi, Jeff Allred, Adnan Al-Sarabi, Jose Angel, David Carmona, Liann Chavez, Jose Cortez, Francisco Costa, Maria de la Paz Carpio-Obeso, Jose Delgado, Kristie Garcia, Phil Gruenberg, Janina Guarino, Abdi Haile, Chris Igbiniedion, Teresa Illare, Neal Krull, Daniel McClure, Teresa Newkirk, Robert Perdue, Jonathan Rokke, Jennie Snyder, Joan Stormo, Hilda Vasquez, Jason Voskanian, Soni Wells, Susan Wilson, Doug Wylie and Nadim Zeywar

3. Others Present

Julie Ammel, U.S. Department of Agriculture/Natural Resources Conservation Service
Paul Benedict, U.S. Department of Agriculture/Natural Resources Conservation Service
Rita Bickel, U.S. Department of Agriculture/Natural Resources Conservation Service
Steve Bigley, Coachella Valley Water District
Summer Bundy, Department of Water Resources
Steve Cameron, U.S. Department of Agriculture/Natural Resources Conservation Service
Angela Dufresne, Riverside County Waste Management Division
Luis Estrada, City of Calexico
Andy P. Fisichelli, Montgomery & Watson
Milton Friend, Salton Sea Science Office
Al Goff, U.S. International Boundary and Water Commission
Rosa Maria Gonzales, Imperial Irrigation District
Lauren Grizzle, Imperial County Farm Bureau/Imperial Valley Vegetable Growers Association
Kay Hazen, Private Citizen
Randy Hines, City of El Centro
Andy Horne, Imperial Irrigation District
Jerry Horner, State Water Resources Control Board
Rich Howe, Earth Systems
Tom Kirk, Salton Sea Authority
Brad Luckey, Imperial Irrigation District

Chris Machado, California Department of Corrections
Doug Mitchell, California Department of Corrections
Gerald Mulcahy, California Department of Fish and Game
Karen O'Haire, State Water Resources Control Board
Lori Okun, State Water Resources Control Board
Tom Peltier, State Water Resources Control Board
Carlos Peña, United States International Boundary and Water Commission
John L. Scott, Metropolitan Water District
Janet Stork, United States Bureau of Reclamation
Scot Stormo, Earth Systems
Grace Verhoeven, Park Avenue Deposition Service
Lisa Zeise, California Redi-Date

4. Minutes of Meeting of May 9, 2001

MOTION: Ms. Wright moved, Mr. Lesicka seconded, and motion carried unanimously that the minutes be approved as submitted.

5. Public Forum

No one from the public chose to speak.

6. Resolution No. 01-099 Adoption of FY 2001-2002 Emergency Abandoned, Recalcitrant Underground Storage Tank Sites Priority List

MOTION: Ms. Wright moved, Mr. Johnson seconded, and motion carried unanimously that the resolution be adopted.

7. Uncontested Waste Discharge Requirements

Waste Discharge Requirements

- | | |
|--------|--|
| 01-012 | California Redi-Date LLC., Owner/Operator, Process Wastewater Treatment Facility – Thermal, Riverside County (Updated Order) |
| 01-088 | Basin Water Technology Group, Owner, Hi-Desert Water District, Operator, Discharge of Wastewater to Basin/Ponds – Yucca Valley, San Bernardino County (New Order) |
| 01-098 | Riverside County Waste Management Department, Owner/Operator, Coachella Sanitary District, Class III Landfill – North of Coachella, Riverside County (Updated Order) |

MOTION: Dr. Baxley moved, Mr. Lesicka seconded, and motioned carried unanimously that Orders No. 01-012, 01-088 and 01-098, including the errata, be adopted.

8. Public Hearings

01-100 Public Hearing on Basin Plan Amendment – Siltation/Sedimentation Total Maximum Daily Load (TMDL) for the Alamo River

All those who chose to testify regarding the Basin Plan Amendment took the appropriate Oath.

Ms. Newkirk, Regional Board staff, summarized the most important points of the Alamo River Silt TMDL, the proposed Basin Plan Amendment, and last minute changes to the amendment (i.e., the errata).

Carlos Peña, International Boundary and Water Commission (IBWC), stated that the IBWC sent written comments to the Regional Board regarding the Alamo River Silt TMDL and the New River Pathogen TMDL. He summarized the comments for the Board Members. Mr. Peña acknowledged the Regional Board's hard work on the TMDLs.

Andy Horne, Imperial Irrigation District (IID), stated that IID reviewed the Alamo River Silt TMDL and sent written comments to the Regional Board. He acknowledged the revisions made to the TMDL in response to the comments, but added that IID still has concerns regarding the Basin Plan Amendment as well as the TMDL process in general. He concluded, however, that the revisions made provided a workable compromise between water quality protection and agricultural viability.

Lauren Grizzle, Imperial County Farm Bureau (ICFB) & Imperial Valley Vegetable Growers Association (IVVGA), expressed her appreciation for the opportunity to address the Board regarding the proposed Alamo River Silt TMDL. She stated that ICFB and IVVGA are pleased with the responsiveness of Regional Board staff regarding concerns expressed at the May 24, 2001 Public Workshop and subsequent revisions. She indicated that ICFB and IVVGA hope that together a workable document has been developed. She added that they are committed to water quality, but have concerns with the premise behind the TMDL as well as the cumulative economic impacts of TMDLs, especially in light of the financial conditions of the agricultural communities. She also said that they realize the Regional Board's need to move forward in the TMDL process, and ask that they do so prudently and hold the commitment of reviewing the TMDL and Beneficial Use Designations every three years. She asked that the Regional Board continue to consider stakeholder input.

Mr. Gruenberg, Executive Officer, stated that substantial changes toward reaching a common ground have occurred since the Public Workshop on May 24, 2001. He believes implementation of the Alamo River Silt TMDL is an important step toward Salton Sea restoration, which will be helpful in the continuance of a strong agricultural economy in Imperial Valley. He recommended adoption of Basin Plan Amendment No. 01-100, including the errata.

The Chair closed the public hearing.

Ms. Wright thanked Regional Board staff for their work on the TMDLs and stated that she believes implementation of this TMDL is necessary.

Dr. Baxley stated that he was pleased that stakeholder concerns were considered and that a compromise was made.

Mr. Johnson echoed Ms. Wright's statement.

Mr. Lesicka thanked everyone for coming to common ground concerning the TMDLs. Mr. Smith stated that he is impressed with how common ground was met between Regional Board staff and the stakeholders.

MOTION: Ms. Wright moved, Dr. Baxley seconded, and motion carried unanimously that Basin Plan Amendment No. 01-100 be adopted, including the errata.

A roll call resulted as follows:

Ayes: Dr. Baxley, Mr. Johnson, Mr. Lesicka, Mr. Smith and Ms. Wright.

Nays: None

01-101 Public Hearing on Basin Plan Amendment – Pathogen Total Maximum Daily Load for the New River

All those who chose to testify regarding the Basin Plan Amendment took the appropriate Oath.

Mr. Angel, Regional Board staff, gave a presentation on the background of the TMDL process and how it began. He covered proposed components of the New River Pathogen TMDL, the proposed Basin Plan Amendment CEQA documentation, and last minute changes on the errata.

Carlos Peña, IBWC, clarified that there is no agreement between Mexico and the United States that requires Mexico to comply with the California Water Act. He reported that Mexico is currently constructing a 15.7 million dollar, 20 MGD, WWTP. He also reported that Mexico is in the process of improving collection procedures of wastewater discharged into the New River. He stated that IBWC is reviewing its obligations, to determine appropriate actions to be taken in asking Mexico to comply with the New River Pathogen TMDL at the International Boundary.

Mr. Gruenberg stated that the primary purpose of the New River Pathogen TMDL is to increase the U.S. Government's pressure on Mexico to disinfect their wastewater and eliminate raw sewage discharges into the New River. He added that the Federal Government has taken a number of positive steps to clean up the New River, but the progress is not entirely satisfactory, and that there continues to be horribly polluted conditions at the International Boundary. He recommended adoption of Basin Plan Amendment No. 01-101, including the errata.

The Chair closed the public hearing.

Ms. Wright thanked Mr. Gruenberg for the New River historical book he created.

Dr. Baxley complimented staff on the progress of the TMDLs. He stated that he is tired of hearing that the most polluted river in the United States is in Region 7.

Mr. Lesicka stated that implementation of the New River Pathogen TMDL would be a step in the right direction.

Mr. Smith stated that he is glad to see we have come this far.

MOTION: Dr. Baxley moved, Ms. Wright seconded, and motion carried unanimously that Basin Plan Amendment No. 01-101 be adopted, including the errata.

A roll call resulted as follows:

Ayes: Dr. Baxley, Mr. Johnson, Mr. Lesicka, Mr. Smith and Ms. Wright.

Nays: None

9. Compliance with Administrative Civil Liability Order No. 00-084 Niland Sanitary District

This item was moved to the next Board Meeting Agenda.

10. Reportable Violations with the California Water Code

There was no discussion.

11. Update on State Board Activities

Karen O'Haire, State Water Resources Control Board, stated that Pete Silva was involved in Forestry Hearings and apologized for not attending the Board Meeting. She added that she considers it an honor to have worked with Region 7 staff for the past ten years and looks forward to possibly working with them on future enforcement and tribal issues.

12. Regional Board Executive Officer's Report

Mr. Gruenberg announced that Celeste Cantu, Executive Director, State Water Resources Control Board, would be visiting the Region 7 office on June 28, 2001, to discuss the State Board's new Strategic Plan.

Mr. Gruenberg reported that he issued Mandatory Minimum Penalty ACLCs to Centinela State Prison and the City of Coachella for noncompliance at their sewage treatment facilities. Each discharger has paid their fee in full and waived their hearing.

13. Regional Board Staff Reports

Mr. Krull, Regional Board staff, gave a status report on the three proposed natural gas power plants to be constructed within Region 7. All three power plants are expected to be operational by the summer of 2003.

14. Board Member Comments

Ms. Wright reported that she attended a budget meeting regarding the 2002-2003 fiscal year. She stated that having one Board Member from each Region involved in the budget process is working out nicely.

Dr. Baxley thanked Regional Board staff for their significant level of communication with Board Members.

Each Board Member expressed their appreciation to Karen O'Haire and wished her well.

15. Regional Board Chair's Report

Mr. Smith did not report.

Adjournment

The meeting adjourned at 11:30 a.m.